

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSLVANIA

|                               |                                 |
|-------------------------------|---------------------------------|
| BEAR RUN ASSOCIATES LIMITED ) |                                 |
| PARTNERSHIP and SHEILA )      | Hon. Gary L. Lancaster          |
| ZIPPORAH, L.P., )             |                                 |
| Plaintiffs, )                 | Civ. Act. No. 2:06-cv-00860-GLL |
| v. )                          |                                 |
| WACHOVIA BANK, N.A., )        |                                 |
| Defendant. )                  |                                 |

ORDER

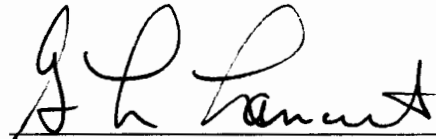
AND NOW, to-wit, this 30<sup>TH</sup> day of OCTOBER, 2006, upon consideration of plaintiffs' Motion for Modification or Reconsideration, it is hereby ORDERED that this Court's Order dated October 25, 2006, is vacated; and FURTHER ORDERED that:

(a) Plaintiffs shall provide unredacted copies of the four trust agreements to Wachovia's counsel within 24 hours of this Order, with the proviso that, absent further order, Wachovia shall use them only for purposes of its responses to the Motion to Remand. Any trust agreement, any portion of a trust agreement or any deposition transcript which refers to any portion of a trust agreement that Wachovia intends to submit to this Court shall be filed with the clerk under seal;

(b) Wachovia should subpoena Mr. Brenner pursuant to

Fed.R.Civ.P. 45 to appear at a deposition.

(c) Wachovia's deadline for response to the Motion for Remand is extended to November 20, 2006.

  
United States District Judge